



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

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Michael R. Pence, Governor
Michael B. Cline, Commissioner

PREQUALIFICATION COMMITTEE MAY 2, 2013 MEMORANDUM

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Heather Kennedy called the meeting to order at 9:00 a.m. EDT in Conference Room N755 of the Indiana Government Center North building, 100 North Senate Ave., Indianapolis, Indiana 46204, and a quorum was established.

Members Present:

Heather Kennedy; Acting Director of Economic Opportunity and Prequalification; Chair and Non-Voting Member
Karen Macdonald; Prequalification Engineer; Committee Secretary and Non-Voting Member
Greg Kicinski; Director of Project Management; Voting Member
Mark Miller; Director of Construction Management; Voting Member
Joe Novak; Crawfordsville District Construction Director; Voting Member
Mark Ratliff; Director of Economics, External Audit, and Performance Metrics; Voting Member
John Wright; Director of Highway Design and Technical Support; Voting Member
Bob Cales; Contracts Administration Director; attending for Ryan Gallagher as Voting Member

Members Absent:

Ryan Gallagher; Deputy Commissioner of Operations; Voting Member
Jim Stark; Deputy Commissioner of Innovative Project Delivery; Voting Member

II. ADOPTION OF THE MINUTES FROM THE JANUARY 25, 2013 MEETING OF THE COMMITTEE

The Committee unanimously voted to adopt the minutes from the January 25, 2013 meeting of the Committee.

III. ADOPTION OF THE MINUTES FROM THE APRIL 4, 2013 MEETING MINUTES OF THE COMMITTEE

Ms. Kennedy stated that the April 4, 2013 meeting minutes are not compiled yet and will be considered at the next Committee meeting.

IV. AMERICAN CONTRACTING AND SERVICES, INC., R. H. MARLIN, INC. AND CENTRAL ENGINEERING AND CONSTRUCTION ASSOCIATES, INC. – UNAUTHORIZED USE OF A SUBCONTRACTOR ON CONTRACT IR-30697

Summary of Facts: On May 2, 2013, the Prequalification Committee (Committee) held a meeting to discuss the issue of the use of an unauthorized subcontractor on Contract IR-30697. American Contracting and Services, Inc. (American) was the prime contractor and R.H. Marlin, Inc. (Marlin) was the approved subcontractor on the contract. According to INDOT's Seymour District, Marlin entered into a second tier subcontract agreement with Central Engineering and Construction Associates, Inc. (Central Engineering) to perform subgrade treatment work on the contract. The Committee considered evidence presented by the Seymour District regarding these issues as well as responses to these allegations from American, Marlin, and Central Engineering.

Decision: The Committee voted to take no action on American's prequalification status at this time. The Committee voted to recommend that the Commissioner restrict Marlin and Central Engineering from bidding and working as subcontractors on all contracts let through INDOT for a period of six months. Currently, both Marlin's and Central Engineering's Certificates of Qualification are expired.

V. FORCE CONSTRUCTION COMPANY, INC. – COMPLIANCE WITH EROSION AND SEDIMENT CONTROL REQUIREMENTS ON CONTRACTS IR-27969 and IR-34452

The issue with Force Construction Company, Inc. was continued to the June meeting at the request of the contractor.

VI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Prequalification Committee adjourned at 9:51 a.m. EDT.

**INDOT will post a copy of the full meeting minutes after approved and adopted at the next Committee meeting. **